



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/672,383	09/26/2003	Ulrich Peter	2718	8524

7590 09/17/2004
STRIKER, STRIKER & STENBY
103 East Neck Road
Huntington, NY 11743

EXAMINER

PHAM, LEDA T

ART UNIT	PAPER NUMBER
----------	--------------

2834

DATE MAILED: 09/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/672,383

Applicant(s)

PETER, ULRICH

Examiner

Leda T. Pham

Art Unit

2834

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 September 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Drawings

1. The drawings are objected to under 37 CFR 1.83(a) because they fail to show “the lugs 26”, and “throughgoing openings 27” as described in the specification. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled “Replacement Sheet” in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

2. The disclosure is objected to because of the following informalities: on page 10 line 10, “the lamellas 22” should be change to –the lamellas 23--, and line12 same page “the nut

Art Unit: 2834

openings 25” should be change to –the grooves openings 25--. Page 11 line 9, “The project or the lamella surface” should be change to –They project on lamella surface--.

Appropriate correction is required.

Claim Objections

3. Claims 4 and 10 are objected to because of the following informalities: in claim 4, “said stator body” is duplicated on line 2 of the claim. In claim 10, please delete “; and” on first line of the claim. Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claim 9 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In this claim, how do the radially extending housing parts form in an interior of the housing? Figure 1 of the drawing showed the housing 10 having an interior containing the stator but the interior of the housing does not form the extending housing parts. Also, “connected with the latter in a force-transmitting manner” is unclear.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-11 rejected under 35 U.S.C. 103(a) as being unpatentable over Katsuzawa et al. (U.S. Patent No. 5,043,616) in view of Kloster et al. (U.S. Patent No. 5,142,178).

Referring to claim 1, Katsuzawa teaches an electric motor for electric hand power tools, comprising a housing (20, 22), a stator (10) received in said housing and having a stator body composed of a plurality of axially abutting lamellas, said stator body being clamped between radially extending housing parts in an axially force-transmitting manner (figure 1).

However, Katsuzawa fails to teach at least one of the lamellas locating in at least one end side end region of said stator body having raised portions which axially extend over a lamella surface.

Kloster teaches a stator (figure 1) having lamellas (2) wherein the lamellas have raised portions (8) which axially extend over a lamella surface for abating lateral shifting of adjacent laminations in the stator.

Thus, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the stator with lamellas having raised portions which axially extend over a lamella surface as taught by Kloster. Doing so would provide prevent a shifting of adjacent laminations in the stator.

Referring to claim 2, Kloster teaches the electric motor, wherein said at least one lamella provided with said raised portions is located in each end region of said stator body (every lamination (2) in the stator of Kloster having raised portion, figure 3).

Referring to claim 3, Kloster teaches the electric motor wherein said at least one lamella in each end region of said stator body is an outwardly located end lamella of said stator body (figure 3).

Art Unit: 2834

Referring to claim 4, Kloster teaches the electric motor wherein in each end region of said stator body said stator body has several neighboring lamellas provided with said raised portions (figure 3).

Referring to claim 5, Kloster teaches the electric motor wherein said lamellas are oriented so that said raised portions are in axial alignment with one another (figure 3).

Referring to claim 6, Kloster teaches the electric motor wherein said raised portions are formed by corrugations (8) provided in said at least one lamella (figure 3).

Referring to claim 7, Kloster teaches the electric motor wherein said raised portions are formed by notches (8) provided in said at least one lamella (figure 3).

Referring to claim 9, Katsuzawa teaches the electric motor wherein said radially extending housing parts (the cylindrical of the housing) are formed in an interior of said housing and on a bearing flange (22) which receives a rotor shaft (12), that is axially placed on said housing and connected with the latter in a force-transmitting manner (figure 1).

Referring to claim 11, Katsuzawa teaches the electric motor wherein one of said housing parts is a ring-shaped (20) radial abutment shoulder which is formed on said housing, while another of said housing parts is formed as a ring web (22) which extends in an end surface of said housing and projects from said bearing flange (figure 1).

Referring to claim 8, the combination of Katsuzawa and Kloster substantially teaches the claim invention, except for the shape of the raised portion are formed by bent cuts. An artisan would have the necessary mechanical skills to configure the raised portions in any suitable shape in corresponding to prevent the shifting of lamellas of stator. Doing so would ensure well-matched fitting between the adjacent lamellas of the stator. Thus, it would have been obvious to

Art Unit: 2834

one skilled in the art at the time the invention was made to modify the raised portions in bent cuts, as recited in the claim. Doing so would ensure a well-matched fit between the adjacent lamellas of the stator.

Also, it has held that a change in size or shape is generally recognized as being within the level of ordinary skill in the art. *In re Rose, 105 USPQ 237 (CCPA 1955)*.

Referring to claim 10, Katsuzawa teaches the electric motor further comprising a force-transmitting connection selected from the group consisting of a screw connection, a rivet connection, and both (30a, 30b).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leda T. Pham whose telephone number is (571) 272-2032. The examiner can normally be reached on M-F (8:30-6:00) first Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren Schuberg can be reached on (571) 272-2044. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Leda T. Pham


TRAN NGUYEN
PRIMARY EXAMINER